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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

BRYAN WAYNE CRAWLEY,

Petitioner,

vs.

BRAD CAIN, *et al.*,

Respondents.

Case No. 2:17-cv-02086-RFB-CWH

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME
(FIRST REQUEST)**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, respectfully move this Court for an order granting a sixty (60) day enlargement of time, to and including February 3, 2023, in which to file and serve their answer to Crawley's second-amended petition.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings, and other materials on file herein.

This is my first enlargement of Respondents' time to file said reply, and this motion is made in good faith and not for the purposes of delay.

RESPECTFULLY SUBMITTED this 5th day of December, 2022.

AARON D. FORD
Attorney General

By: /s/ Heather D. Procter
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

BRYAN WAYNE CRAWLEY,
Petitioner,

vs.

BRAD CAIN, *et al.*,
Respondents.

Case No. 2:17-cv-02068-RFB-CWH
DECLARATION OF COUNSEL

STATE OF NEVADA)
 : ss.
CARSON CITY)

I, HEATHER D. PROCTER, hereby states, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am the Chief Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement of time.

2. By this motion, I am requesting a sixty (60) day enlargement of time, to and including February 3, 2023, to answer to Crawley's second-amended petition for writ of habeas corpus. This is my first request for enlargement.

3. The response is currently due December 5, 2022.

4. I was on annual leave October 19 to November 7, 2022. In addition, I have been out of the office several days to attend conferences, presentations and holidays. I have actively worked on bill

draft requests for the upcoming 2023 session of the Nevada Legislature, including an extensive bill that clarifies Nevada Revised Statutes Chapter 34. In addition, at the end of October, Senior Deputy Charles Finlayson left the Division to enter private practice. I have taken over his full caseload and also absorbed his supervisory responsibilities in addition to my own heavy administrative duties. This includes onboarding and training our newest deputy, John Dorame, who transferred into the division November 21, 2022. I have also been involved in defending federal and state petitions, including *Hill v. Gittere* (2:98-cv-0914-KJD-DJA); *Mulder v. Gittere* (3:09-cv-0610-CDS-CSD) (death penalty); *Richardson v. Gittere* (3:22-cv-00017-RFB-CSD) (death penalty); *Rosky v. Garrett* (3:16-cv-0156-MMD-VPC); and *Williams v. Reubart* (2:98-cv-0056-APG-VCF) (death penalty). As such, I request a sixty (60) day enlargement of time, to and including February 3, 2023, to answer the petition.

5. This motion for enlargement of time is made in good faith and not for the purpose of unduly delaying the ultimate disposition of this case.

6. I contacted the assigned Federal Public Defender, Alicia Intriago, who has no objection to this enlargement.

Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the foregoing is true and correct.

Dated this 5th day of December, 2022.

/s/ Heather D. Procter

HEATHER D. PROCTER

ORDER

IT IS SO ORDERED.

Dated this 6th day of December, 2022.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 5th day of December, 2022, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME (FIRST REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

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Jonathan M. Kirshbaum
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/s/ Amanda White